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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ben K. Rice

Atty Docket No. 142280/BRW003

Serial No.: 10/671.222

Group No.: 3679

Date Filed: 24 September 2003

For: Construction Safety Barrier

Examiner:

CERTIFICATE OF MAILING
Under 37 CFR 1.8

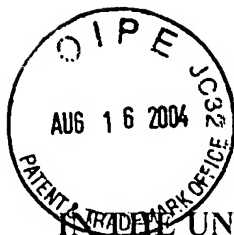
Date of Deposit: August 13, 2004

I hereby certify that this correspondence containing:

1. Information Disclosure Statement
2. Form PTO 1449 and accompanying references
3. No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees become necessary, the Commissioner is hereby authorized to charge any fee deficiency to Andrews & Kurth Deposit Account No. 50-0897 (142280/BRW003)

on the date shown indicated above is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to Commissioner of Patents, P.O. Box 1450; Alexandria, VA 22313.

Theresa M. Evenbly, CLAS
Paralegal to Gary L. Bush, Esq.



UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Ben K. Rice		
Serial No.:	10/671.222	Group No.:	3679
Date Filed:	24 September 2003	Examiner:	
For:	Construction Safety Barrier	Atty Docket No.	142280/ BRW003

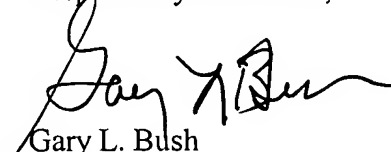
INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In compliance with the duty of disclosure under 37 CFR 1.56, 1.97 and 1.98, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 CFR 1.98(a)(2) are enclosed for the convenience of the Examiner. The documents listed herein are documents, which may be relevant to the examination of the above application.

In accordance with 37 CFR 1.97(g), (h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 CFR 1.56(b).

Respectfully submitted,


Gary L. Bush
Registration No. 27,423

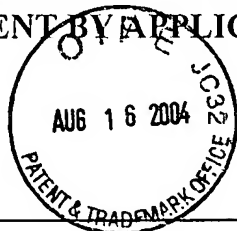
Andrews Kurth LLP
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713/220-4726 (office)
713/220-4285 (facsimile)
Date:

, 2004

Customer No. 23,444

[Substitute for form 1449A/PTO]

[Complete if Known]

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Page 1 of 2

Application Number: 10/671.222
 Filing Date: September 24, 2003
 First Named Inventor: Roce
 Group Art Unit: 3679
 Examiner Name:
 Attorney Docket No.: 142280/BRW003

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. 1	U. S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY	Pages, Columns, Lines Where Relevant Figures Appear
		Number/ Kind Code				
		3,347,527		Andrews	10/17/1967	
		4,815,562		Denny, et al	03/28/1989	
		4,875,549		Denny, et al	10/24/1989	
		4,928,929		Kinder	05/29/1990	
		5,197,239		Glynn, et al	03/30/1993	
		6,092,792		Camara	07/25/2000	
		6,149,135		Hlavin	11/21/2000	

Examiner
Signature:

Date
Considered:

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. 2 See attached kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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[Substitute for form 1449A/PTO]

[Complete if Known]

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Page 2 of 2

Application Number: 10/671.222
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 First Named Inventor: Roce
 Group Art Unit: 3679
 Examiner Name:
 Attorney Docket No.: 142280/BRW003

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. 1	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY	Pages, Columns, Lines Where Relevant Figures Appear	T2
		Office/Number/Kind Code						

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article (when applicable), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.	T2

Examiner
Signature:

Date
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